# INDIANA DEPARTMENT OF INSURANCE

# **Bulletin 168**

#### **December 24, 2008**

# Patient's Compensation Fund - Surcharge Rates for Hospitals and Physicians

This bulletin is directed to all health care providers electing to be qualified under Indiana's Medical Malpractice Act (IC 34-18-1-1, et seq.) and to insurers that provide coverage to those health care providers.

Pursuant to IC 34-18-5-2, the Commissioner of the Department of Insurance in his capacity as administrator of the Patient's Compensation Fund hereby notifies physicians and hospitals of the following surcharge for qualification under the Medical Malpractice Act. The rates are effective for coverage beginning March 1, 2009.

#### **PHYSICIANS**

The surcharge for physicians has been reduced one-half of one percent (0.5%). A complete list of physician specialty class codes is published at 760 IAC 1-60.

CLASS	ANNUAL RATE
0	\$2,414
1	3,218
2	4,505
3	5,792
4	7,241
5	9,653
6	14,480
7	22,525
8	27,352

#### **HOSPITALS**

The surcharge for a hospital is calculated using the attached worksheet. The completed worksheet shall be submitted to the Department along with the surcharge payment. The attached worksheet reflects a overall 5% decrease in surcharge for hospitals.

INDIANA DEPARTMENT OF INSURANCE
James Atterholt. Commissioner

#### HOSPITAL EXPOSURE WORKSHEET FOR SURCHARGE CALCULATION

Name of Hospital:	
License No.:	

### Attach a list of the following:

- (1) All facilities and/or services operated under the hospital license, as identified on the Department of Health Application for License to Operate a Hospital;
- (2) All assumed business names used by the hospital:
- (3) All employed physicians included in this coverage along with their specialty class code and surcharge computation:

Any entity, person, or activity not identified in this surcharge worksheet may not be included in the hospital's coverage with the Patient's Compensation Fund.

CATEGORY	EXPOSURE	MANUAL	TOTAL
Provide # of Beds			Category x Manual=Total
	Hospital (Acute Care and Intensive Care)	805.6	\$0
	Mental Health/Rehabilitation	402.8	\$0

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Extended Care/Intermediate Care/Residential	39.9	\$0						
Nursing Home/Critical Extended Care	402.8	\$0						
Health Institution/Assisted Living/Other	161.5	\$0						
Bassinets	805.6	\$0						
# of Visits (in 100s)	161.5   \$0   805.6   \$0   40.28   \$0   16.11   \$0   40.28   \$0   16.11   \$0   40.28   \$0   3,222.40   \$0   80.56   \$0   1,611.20   \$0							
Emergency Room	80.56	\$0						
Clinics/Others	40.28	\$0						
Mental Health/Rehabilitation	20.14	\$0						
Health Institution	16.11	\$0						
Home Health Care	40.28	\$0						
Provide # of Surgeries/Births (in 100s)								
Births	3,222.40	\$0						
Outpatient Surgeries	80.56	\$0						
Inpatient Surgeries	1,611.20	\$0						
S	SUBTOTAL (A)	0.00						
Employed Physicians								
S	SUBTOTAL (B)							
	Total of A & B	0.00						
Lack of Risk Management Program- 10% Penalty	× total of A & B							
Hospital with > 500 beds 3% multiplie	er of total A & B							
	TOTAL DUE	0.00						

#### **Definitions:**

Hospital bed - licensed hospital beds usually on a short-term basis for patients who are need of acute medical treatment and skilled nursing care 24 hours a day (Intensive diagnostic and invasive treatment for acute illness).

Mental Health/Mental and Physical Acute Rehab bed - Care, diagnosis, and treatment for acute psychiatric, emotionally challenged, and physically handicapped patients needing 24 hour supervision, assistance, and treatment.

Extended Care/Intermediate/Residential bed - nonacute occasional incidental medical and emergency assistance to residents living independently in retirement apartments and communities. Facilities provided with security and emergency call boxes. Some contact services are available to residents.

Nursing Home/Critical Extended Care bed - A step-down from acute medical care for patients still needing 24 hour nursing care usually for an extended or long-term basis. Skilled care services needed such as medication administration, tube feeding, injections, catheterizations, and other procedures ordered by a physician.

Health Institution/Assisted Living/Other bed - Subacute minor health care and related personal services to assist residents on an ongoing and regular basis. Minor nursing care and assistance in such activities as laundry, meal preparations, bathing, and social functions.

\* Employed physician - A physician is considered an employee for PCF purposes if the hospital withholds and pays Social Security and Medicare taxes and pays unemployment tax on wages paid to the employee. If a physician is treated as an independent contractor for tax purposes, then he/she cannot be considered an employee for PCF purposes.

# \*Employed Physicians Sharing in Limits The following rates reflect credits applied to the base rate.

# Physicians	Class 0	Rate	Total	# Physicians	Class 1			# Physicians	Class 2		
	Full-Time	2414.00	0.00		Full-Time	3218.00	0.00		Full-Time	4505.00	0.00
	67% Teaching	796.62	0.00		67% Teaching	1061.94	0.00		67% Teaching	1486.65	0.00
	0-12 hrs. 75%	603.50	0.00		0-12 hrs. 75%	804.50	0.00		0-12 hrs. 75%	1126.25	0.00

# Indiana Register

13-24	hrs.   50%   1207.00   0.00   55%   2252.50   0.00   25-30   hrs.   25%   2413.50   0.00   378.75   0.00   378	ndiana I	Register	ſ											
25-30	25-30   hrs.   25-3		13-24												
hrs.   25%   1810.50   0.00     hrs.   25%   2413.50   0.00     hrs.   25%   2413.50   0.00     hrs.   25%   3378.75     25%   3378.75     25%   3378.75     25%   3378.75     25%   2413.50   0.00     hrs.   25%   3378.75     25%   2413.50   0.00     hrs.   25%   2413.25   0.00     hrs.   25%   2530   hrs.   2530   hrs.   25%   2550   0.00   2530   hrs.   2550   2530   hrs.   25%   2550   2	hrs.   25%   2413.50   0.00   25%   2413.50   0.00     25%   3378.75   0.00     25%		hrs. 50%	1207.00	0.00			hrs. 50%	1609.00	0.00			hrs. 50%	2252.50	0.0
Fellowshit   Fel	Fellowship   See 760     Fellowship   See 760												25-30		
Fellowship   Fel	Fellowship   See 760     Fellowship   See 760		hrs. 25%	1810.50	0.00			hrs. 25%	2413.50	0.00			hrs. 25%	3378.75	0.
Fellowship   GO	Fellowship   60   Total   0.00   Total   0.00			See <u>760</u>					See <u>760</u>					See <u>760</u>	
# hysicians   Class 3   Full-Time   5792.00   0.00   67%   Teaching   1911.36   0.00   67%   Teaching   1911.36   0.00   0.12 hrs.   75%   1448.00   0.00   0.12 hrs.   75%   1324 hrs.   25%   4344.00   0.00   13.25   13.24 hrs.   25%   4344.00   0.00   12.50   13.24 hrs.   25%   4344.00   0.00   13.25   13.24 hrs.   25%   5430.75   0.00   13.25   13.26 hrs.   25%   5430.75   0.00   13.25   13.26 hrs.   25%   25	## Class 3   Full-Time   5792.00   0.00   67%   1448.00   0.00   0.12 hrs.   50%   2530 hrs.   25%   3620.00   0.00   67%   13-24 hrs.   50%   2730.00   0.00   67%   13-24 hrs.   55%   3620.00   0.00   67%   6638.00		Fellowship	<u>IAC 1-</u>				Fellowship	<u>IAC 1-</u> 60				Fellowship	<u>IAC 1-</u>	
Physicians   Class 3	Physicians   Class 3			Total	0.00			<u> </u>	Total	0.00			<u> </u>	Total	0.
Physicians   Class 3	Physicians   Class 3										·				
Full-Time 5792.00 0.00  67% Teaching 1911.36 0.00  0-12 hrs. 75% 1448.00 0.00  13-24 hrs. 50% 2896.00 0.00  25-30 hrs. 25% 4344.00 0.00  Total 0.00  Full-Time 7241.00 0.00  67% Teaching 2389.53 0.00  0-12 hrs. 75% 2413.25  13-24 hrs. 50% 3620.50 0.00  25-30 hrs. 25% 4344.00 0.00  Fellowship 60  Total 0.00  Full-Time 9653.00  67% Teaching 3185.49  0-12 hrs. 75% 2413.25  13-24 hrs. 50% 3620.50 0.00  25-30 hrs. 25% 7239.75  Fellowship 60  Total 0.00  Full-Time 9653.00  Full-Time 9653.00  Full-Time 9653.00  Fellowship 3185.49  0-12 hrs. 50% 3620.50 0.00  See 760 hrs. 50% 4826.50  Fellowship 60  Full-Time 14480.00  Full-Time 14480.00  Full-Time 2585.00  Full-Time 14480.00  Full-Time 2585.00  Full-Time 14480.00  Full-Time 2585.00  Full-Time 2580.00  Full-Time 2583.00  Full-Time 2580.00  Full-Time 2580.00  Full-Time 2580.00  Full-Time 2580.00  Full-Time 2580.00  Full-Time 2580.00  Full-Time 27352.00  Full-Time 27352.00  Full-Time 2580.00  Full-Time 27352.00  Full-Time 2580.00  Full-Time 2580.0	Full-Time   5792.00   0.00   67%   Teaching   1911.36   0.00   67%   Teaching   1911.36   0.00   0.12 hrs.   75%   1448.00   0.00   0.12 hrs.   50%   2896.00   0.00   25-30 hrs.   25%   4344.00   0.00		Class 3					Class 4					Class 5		
Teaching   1911.36   0.00   Teaching   2389.53   0.00   Teaching   3185.49	Teaching   1911.36   0.00	,	Full-Time	5792.00	0.00			Full-Time	7241.00	0.00		,	Full-Time	9653.00	0.
0-12 hrs.   75%   1448.00   0.00   75%   1810.25   0.00   13.24 hrs.   50%   2896.00   0.00   25-30 hrs.   25%   4344.00   0.00   25-30 hrs.   25%   4344.00   0.00   25%   50%   2896.00   0.00   25%   5430.75   0.00   25%   7239.75   25%   25%   25%   20514.00   25%   25%   25%   20514.00   25%   25%   25%   20514.00   25%   25%   20	0.12 hrs.   75%   1448.00   0.00     13-24   hrs.   50%   2896.00   0.00     25-30   hrs.   25%   4344.00   0.00     25-30   hrs.   25%   4344.00   0.00     25-30   hrs.   25%   5430.75   0.00     25-30   hrs.   25%   7239.75   0.00     25-30   hrs.   25%   7332.20   0.00     25-30   hrs.   25%   13224   hrs.   50%   13224		67%	1011.00	0.00			67%	0000 50	0.00			67%	0405.40	
75%	75%			1911.36	0.00				2389.53	0.00				3185.49	0.
hrs.   50%   2896.00   0.00	hrs.   50%   2896.00   0.00		75%	1448.00	0.00			75%	1810.25	0.00			75%	2413.25	0.
50%   2896.00   0.00   50%   3620.50   0.00   50%   4826.50   25-30   hrs. 25%   4344.00   0.00   25-30   hrs. 25%   5430.75   0.00   25-30   hrs. 25%   7239.75   See 760   IAC 1- Fellowship 60   Total   0.00   Tot	50%   2896.00   0.00   50%   3620.50   0.00   50%   4826.50   0.00     25-30														
hrs. 25% 4344.00 0.00    See 760   IAC 1- 50   IAC 1-	hrs.   25%   4344.00   0.00     25%   5430.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   7239.75   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     25%   25%   20514.00   0.00     20%   20%   20%   20%   2		50%	2896.00	0.00			50%	3620.50	0.00			50%	4826.50	0.
25%   4344.00   0.00   25%   5430.75   0.00   25%   7239.75     See 760   IAC 1-60   I	25%   4344.00   0.00   25%   5430.75   0.00   25%   7239.75   0.00   See 760   IAC 1- 60   IAC 1- 60		25-30					25-30					25-30		
Fellowship   Fel	Fellowship   IAC 1-60   Total   0.00   Total   0.00   Total   0.00		25%	4344.00	0.00			25%	5430.75	0.00			25%	7239.75	0.
Fellowship   GO   Total   0.00   Total   0.00   Total   0.00   Total   0.00	Fellowship   60   Total   0.00   Total   0.00   Total   0.00			See <u>760</u>					See <u>760</u>					See <u>760</u>	
# hysicians Class 6	# Physicians Class 6		Fellowship					Fellowship					Fellowship		
Physicians   Class 6   Physicians   Class 7   Physicians   Class 8   Physicians   Class 7   Physicians   Class 8   Physicians   Class 8   Physicians   Class 7   Physicians   P	Physicians   Class 6     Physicians   Class 7     Physicians   Class 8	•		Total	0.00			-	Total	0.00				Total	0.
Physicians   Class 6   Physicians   Class 7   Physicians   Class 8   Physicians   Class 7   Physicians   Class 8   Physicians   Physicians   Class 8   Physicians   Physicians   Class 8   Physicians   Physicians   Class 7   Physicians   Phys	Physicians   Class 6	,, 1		1		Ī		ı			İ	,,	1	1	
67% Teaching         4778.40         0.00         67% Teaching         7433.25         0.00         67% Teaching         9026.16           0-12 hrs. 75%         3620.00         0.00         0.12 hrs. 75% 5631.25         0.00         0.12 hrs. 75% 6838.00           13-24 hrs. 50% 7240.00         0.00         13-24 hrs. 50% 11262.50         0.00         13-24 hrs. 50% 13676.00           25-30 hrs. 25% 10860.00         0.00         25-30 hrs. 25% 16893.75         0.00         25-30 hrs. 25% 20514.00           Fellowship         See 760 JAC 1- 60         See 760 JAC 1- 50         Fellowship         Fellowship	67% Teaching         4778.40         0.00         67% Teaching         7433.25         0.00         67% Teaching         9026.16         0.0           0-12 hrs. 75%         3620.00         0.00         0.12 hrs. 75%         5631.25         0.00         0.12 hrs. 75%         0.12 hrs. 75%         0.12 hrs. 75%         0.00 <td># hysicians</td> <td>Class 6</td> <td></td> <td></td> <td></td> <td># Physicians</td> <td>Class 7</td> <td></td> <td></td> <td></td> <td># Physicians</td> <td>Class 8</td> <td></td> <td></td>	# hysicians	Class 6				# Physicians	Class 7				# Physicians	Class 8		
Teaching         4778.40         0.00         Teaching         7433.25         0.00         Teaching         9026.16           0-12 hrs. 75%         3620.00         0.00	Teaching   4778.40   0.00   Teaching   7433.25   0.00   Teaching   9026.16   0.00			14480.00	0.00				22525.00	0.00				27352.00	0.
0-12 hrs.     75%     3620.00     0.00       13-24 hrs.     75%     5631.25     0.00       13-24 hrs.     13-24 hrs.     13-24 hrs.       50%     7240.00     0.00     25-30 hrs.       25%     10860.00     0.00     25-30 hrs.       25%     16893.75     0.00       See 760 JAC 1- Fellowship     See 760 JAC 1- Fellowship     See 760 JAC 1- Fellowship       Fellowship     Fellowship     Fellowship	0-12 hrs. 75%         3620.00         0.00           13-24 hrs. 50%         7240.00         0.00           25-30 hrs. 25%         10860.00         0.00           See 760 IAC 1- Fellowship         See 760 IAC 1- GO           Total         Total         0.00           0-12 hrs. 75%         5631.25         0.00           0-12 hrs. 75%         6838.00         0.00           13-24 hrs. 50%         13676.00         0.00           25-30 hrs. 25%         10893.75         0.00           See 760 IAC 1- Fellowship         See 760 IAC 1- Fellowship         Fellowship           60         Total         0.00		67%	4778 40	0.00			67%	7/33 25	0.00			67%	9026.16	
75%   3620.00   0.00   75%   5631.25   0.00   75%   6838.00     13-24	75%   3620.00   0.00     75%   5631.25   0.00     75%   6838.00   0.00     13-24   hrs.   50%   7240.00   0.00     25-30   hrs.   25%   10860.00   0.00     25%   10860.00   0.00     25%   25%   10860.00   0.00     25%   25%   20514.00   0.00     20%   20%   20%   20%   20%   20%   20%   20%   20%   20			4770.40	0.00		-		7400.20	0.00				9020.10	
hrs.         50%         7240.00         0.00         hrs.         50%         11262.50         0.00         hrs.         50%         13676.00           25-30 hrs.         25-30 hrs.         25-30 hrs.         25-30 hrs.         25%         25-30 hrs.         25%         20514.00           See 760 IAC 1- Fellowship         See 760 IAC 1- Fellowship         Fellowship         Fellowship         Fellowship         60	hrs.         50%         7240.00         0.00         hrs.         50%         13676.00         0.           25-30 hrs.         25%         10860.00         0.00         25-30 hrs.         25%         25-30 hrs.         25%         25%         25%         25%         25%         25%         25%         25%         20514.00         0.           See 760 IAC 1- Fellowship         See 760 IAC 1- GO         See 760 IAC 1- GO         See 760 IAC 1- GO         IAC 1- GO         Total         0.00         Total         0.00<		75%	3620.00	0.00			75%	5631.25	0.00			75%	6838.00	0.
25-30 hrs.   25-30 hrs.   25-30 hrs.   25%   10860.00   0.00     25-30 hrs.   25%   20514.00     25%	25-30   hrs.   25-3		13-24					13-24					13-24		
hrs. 25% 10860.00 0.00 hrs. 25% 16893.75 0.00 25% 20514.00 See 760 IAC 1- Fellowship 60 Fellowship 60	hrs. 25% 10860.00 0.00 25% 16893.75 0.00 25% 20514.00 0.    See 760		50%	7240.00	0.00			50%	11262.50	0.00			50%	13676.00	0.
See 760	See 760   IAC 1- 60   Fellowship 60   Total   0.00   Total   0.00   Total   0.00   See 760   IAC 1- 60   Total   0.00   Tota		25-30 brs					25-30							
Fellowship 60 Fellowship 60 Fellowship	Fellowship 60 Fellowship 60 Fellowship 60 Total 0.00		25%	10860.00	0.00			25%	16893.75	0.00			25%	20514.00	0.
Fellowship 60 Fellowship 60 Fellowship	Fellowship 60 Fellowship 60 Fellowship 60 Total 0.00			See <u>760</u>					See <u>760</u>					See <u>760</u>	
Total 0.00 Total 0.00 Total			Fellowship	60				Fellowship	60				Fellowship	60	
	Subtotal (B) 0.			Total	0.00		<u>-</u>	-	Total	0.00			-	Total	0.
	Subtotal (B) 0.														

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